

he would not connect it with the common law chancery jurisdiction. We proposed that the Legislature should revise the whole system of pleading. One of the most important objects would be to simplify and make the proceedings in chancery and at common law as nearly alike as possible, so as to have the same course of proceeding in one court as in another. Those were the views that he had maintained throughout the whole of the votings on this subject. He would withdraw his motion, as it had been made only to get an opportunity to make these remarks, it being the decision of the Chair that they could not be made under any other motion.

Mr. BOWIE renewed the motion to indefinitely postpone. The gentleman from Frederick (Mr. Thomas) had said that no matter what the motives of gentlemen were—although he did not mean to impugn them—that—

Mr. THOMAS explained that he had said he thought the scheme of the gentleman from Prince George's would create unnecessary offices.

Mr. BOWIE would ask if the gentleman from Frederick had not advocated the creation of offices unknown to the law, and which by many were deemed to be unnecessary? The gentleman had advocated the creation of a Board of Public Works. He appealed to the facts. The record would prove it. The gentleman was also in favor of retaining three judges of the Orphans' Court, and all this was under the sanction of the theory that reduction in the number of offices and retrenchment of salaries, were the true elements of reform. Now, these were just as important changes as the creation of new offices. And might he not say that a Board of Public Works was unnecessary, and that one judge of the orphans' court could do all the business now done by three? He did not mean to impute motives to gentlemen which would be unworthy of their action here; he would leave that to others more disposed than himself to be censorious. But in his opinion the orphans' court was an important court, and required remodeling to a very great degree. Its jurisdiction was important and extensive. It had to administer the personal estate of all deceased persons, and had also the right to decree sales of real estate in certain cases, and to the extent of its powers in this respect had exactly the same power as a court of chancery. It had also the right, under certain circumstances, to decree a conveyance of real estate, and in all these respects its powers were like those of the court of chancery. All these questions arose, in that court, and he would say they were interests which might properly be confided to a judicial mind. He maintained that three judges in that court, which the gentleman advocated, were unnecessary. One person of sound legal knowledge was enough. He had understood that gentlemen of the bar, in some of the counties, had acquired great control over the judges of the orphans' courts as they are now organized. He did not know whether his friend from Frederick (Mr. Thomas) had any knowledge of such influences in his county.

Mr. THOMAS. No, indeed; very far from it. Mr. BOWIE thought it might be so there, as he was informed it existed in some other counties. But no matter where it exists, (said Mr. B.) it might furnish sufficient motives for those who had acquired it to desire a continuance of the present system, feeble, rickety, and wishy-washy as it was. For himself, he desired substantial reform in this branch of the judicial department, as, in his judgment, none needed it more. When there were millions and millions passing every year through that court; when the rights of the widows and orphans were so deeply involved, he thought it the duty of the convention to establish a system that would effectually guard and protect their interests. But now the true, genuine, judicial reformers on this floor were told by gentlemen that they were satisfied with the present orphans' court system, and that no change was necessary.

He did not choose to be sitting here as a member of this Convention, desirous as he was to reform all those abuses, desirous to bring blessings upon the people, without making some effort to rid them of so great and intolerable an evil. He said he would not be found in any such category of judicial reformers. He would say with his friend from Queen Anne's, (Mr. Spencer,) that such reform was worse than nothing. He knew that in the counties of this State, the orphans' court judges received a per diem, and in some of the smallest counties their compensation amounted to between two and three hundred dollars per annum. From an estimate made by the clerk of the Judiciary Committee, based upon actual returns, \$19,800 was the whole cost of the orphans' courts throughout the State. He supposed that in his own county the per diem to orphans' court judges would amount annually to between \$800 and \$900; and he proposed by his scheme that the same services should be rendered to the counties for \$600 a year. In Baltimore county, he had no doubt, it cost a great deal more. It would be a great saving to some counties and no very great expense in any. In forming a judiciary system, however, he did not think the costs of it should be so much regarded as its efficiency. Of all the curses on earth, he thought a cheap judiciary was the worst. He did not believe that the gentleman from Queen Anne's (Mr. Spencer) had favored the plan proposed by the committee. The original proposition was, to unite all the jurisdictions together in one judge for each county, which he thought would have been the better plan. Having failed in that, he wished to come as near to it as possible. Mr. B. withdrew his motion to indefinitely postpone.

Mr. THOMAS thought the gentleman had done him very great injustice in supposing that he was the author of this plan. The gentleman (Mr. Bowie) would do him the justice to remember that before he (Mr. B.) made a report from the Judiciary Committee, he (Mr. T.) had expressed a hope that he would not report in favor of one judge to each county. The gentleman need not regret that this question was in his hands, for a more persevering leader than he